

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

ANDREW M. MILLER,  
an individual,

Plaintiff,

v.

KELLOGG USA, INC., a Michigan  
corporation,

Defendant.

CASE NO. 8:04CV500

**ORDER**

Plaintiff Andrew M. Miller (“Plaintiff”) and Defendant Kellogg USA, Inc. (“Defendant”) have filed a Stipulated Motion for Enlargement of Time to Respond to Defendant’s Motion for Summary Judgment. Plaintiff’s response to Defendant’s Motion for Summary Judgment was due on or before March 8, 2006. Plaintiff has requested that it be granted a one (1) week enlargement of time to respond to said motion. Defendant does not object to Plaintiff’s request.

IT IS ORDERED, Plaintiff’s Motion for Enlargement of Time to Respond to Defendant’s Motion for Summary Judgment is hereby granted.

IT IS FURTHER ORDERED, Plaintiff shall file its Response to Defendant’s Motion for Summary Judgment on or before March 15, 2006.

IT IS FURTHER ORDERED, Defendant’s time to file any reply is extended by seven (7) days.

DATED: March 7, 2006

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
UNITED STATES DISTRICT JUDGE